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Chair

Mr. Robert Oliphant

Standing Committee on Public Safety and National Security

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• (1730)

[English]

The Chair (Mr. Robert Oliphant (Don Valley West, Lib.)): I call the meeting to order.

Good evening. Welcome to this meeting of the House of Commons Standing Committee on Public Safety and National Security. This is our 34th meeting in this Parliament.

You're probably aware that the committee has been undertaking a study regarding the national security framework as it exists in Canada right now and as Canadians hope it should exist in the future. This is a study that is going on in parallel with a similar consultation being done by the Government of Canada.

The government, through the Minister of Public Safety and Emergency Preparedness, has issued a green paper in a short version and in a long version. This committee is not doing a consultation on the green paper; however, we are using the green paper to help us do a study of the whole framework. We are guided by the green paper, but we're not limited to it. It does provide a certain number of questions that we think are helpful for us to consider.

Already, the minister has presented a first piece of legislation, which has been tabled in the House. It is called Bill C-22, and it is in regard the oversight of national security agencies by parliamentarians. This piece of legislation is currently at our committee; it has been passed at second reading. It does come up in our meetings as we continue. However, it's a small part of the whole national security framework. It is the first and very important part, but it is a small part and is actually only part of oversight.

Our committee had meetings in Ottawa a couple of weeks ago as we began this study, and then we took it on the road. On Monday we were in Vancouver, where we held two meetings. Yesterday we were in Calgary. Today we are in Toronto. This is our second meeting here. Our format has been to have an afternoon meeting where we hear from invited witnesses, who give us testimony regarding questions that we have usually asked them to speak about. These people often represent organizations, but sometimes they come as individuals. They give us a broader understanding of what we are attempting to frame as a national security framework.

Because we are travelling, the afternoon meetings look very much like our Ottawa meetings. In the evenings, however, we have decided to hold public meetings where you are invited to give your thoughts to the committee. We have about 25 people so far who have asked to speak tonight. You might want to go to the desk and get on the list if you're not already there. Because we have about 25 people,

I'm going to suggest that we limit remarks to about three minutes each. If it's like it was in Calgary and Vancouver, people will come in after the meeting has started and after they're finishing work and getting here through traffic.

The committee may or may not have a question for clarification regarding what you say, so I will be watching the committee members to make sure they have a chance to ask any questions they may have.

I'm going to have the committee members introduce themselves and their ridings.

• (1735)

Mr. Marco Mendicino (Eglinton—Lawrence, Lib.): My name is Marco Mendicino. I am the member of Parliament for Eglinton—Lawrence here in Toronto. For those of you who don't know, geographically it's situated more or less in the middle of the 416 code proper, and I am a next door neighbour to Rob Oliphant.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): I'm Pam Damoff. I'm the member of Parliament for Oakville North—Burlington, just west of Toronto.

Mr. John Brassard (Barrie—Innisfil, CPC): I'm John Brassard, member of Parliament for Barrie—Innisfil, and I'm the official opposition critic for veterans affairs.

Ms. Dianne L. Watts (South Surrey—White Rock, CPC): I'm Dianne Watts, member of Parliament for South Surrey—White Rock. I'm the critic for infrastructure and urban communities.

The Chair: We also with us have Matthew Dubé. He must have just stepped out for a moment. I'll have him introduce himself when he comes back.

I will tell you that the committee got up this morning at 3:30 to get on a plane to come here from Calgary, so you may see us drinking coffee and water to keep us going through the evening.

Our first guest is Barrie Zwicker.

[Translation]

As an aside, this committee's meetings are held in English and French. If you need earpieces to listen to the interpretation, you can use the ones on the table. It's important to understand what is being said in the committee.

[English]

Mr. Barrie Zwicker (As an Individual): Thank you very much.

I had prepared more than three minutes' worth, but I'll have to meet the criteria. Thank you for the opportunity.

I'm glad that this standing committee exists. The one time in my life that I was before a standing committee of the House of Commons, we were gloriously successful, but I don't necessarily expect that to happen today.

I would like to begin with a short quotation from the British historian and peace activist, E. P. Thompson, who said, "The deformed human mind is the ultimate doomsday weapon."

If ever two dots needed connecting, they are the current developments around Bill C-51 and Bill C-22 on the one hand, and, on the other, the historic ruling by a B.C. Supreme Court judge in the case of the 2013 so-called Canada Day terror plot in Victoria. That ruling, called a "stunner" by Faisal Kutty in a recent issue of the *Toronto Star*, should be an international landmark.

Yet in all the reportage—my background is in journalism and communications—and almost all the commentary I've seen to date, including that by commentators wary or critical of spy agencies, the B.C. Supreme Court ruling has become more or less an elephant in the room. Its heart is "police-manufactured" terrorism. Those words are from Madam Justice Bruce of the B.C. Supreme Court. The words that are not sufficiently used but should be for an operation like this are "false flag operation". A deep and wide and adult conversation about false flag operations in general is long overdue and could well be—and should be, in my opinion—one of the contexts for this committee's hearings.

The "police-manufactured crime" quote is from a 344-page ruling by Madam Justice Bruce on July 29, striking down the terrorism convictions of John Nuttall and Amanda Korody. As Thomas Walkom observed in the August 3 *Toronto Star*, "the entire bomb plot couldn't have happened if the RCMP hadn't organized it". The Mounties cruelly exploited two impoverished recovering heroin addicts with clearly obvious mental health challenges.

I couldn't help but think about this, which I was planning to discuss anyway, in listening two hours earlier to the experts before this committee. It almost seemed to be very airy-fairy to me, very legislatively complex and so forth, without a reference to this larger context of what happens in the real world and what generates headlines and causes anxiety throughout society.

Academic studies, official reports, and even newspaper editorials show that the threat of terrorism has for years been blown far out of proportion, much as has been discussed here and is a matter of legitimate scrutiny for this committee.

● (1740)

The Chair: That's your three and a half minutes.

Mr. Barrie Zwicker: No. Oh, you were generous.

The Chair: What I forgot to tell members of the public tonight is that you're invited to send a written submission to us on the Parliament of Canada website for the House of Commons Standing Committee on Public Safety. Go to this study, "National Security Framework" and click "participate". Press that and it will show you how to submit your written documentation.

Mr. Barrie Zwicker: Yes, and for the fascinating rest of my presentation, I will submit that brief.

The Chair: We will read it. I promise you.

Thank you.

Arthur Jefford.

Mr. Arthur Jefford (As an Individual): My name's Art Jefford. I lived in Sundridge, Ontario, until the Canadian government acted contrary to Bill C-51 and the requirements of the Canadian Criminal Code in section 83.01 on the definition of terrorism. I was made a result of Bill C-51. My Canadian government officials attacked, raped, and plundered my property, committed terrorism 20 times. I'm now faced with a problem. As a good Canadian, what do I do about that?

It appears that the official Canadian policy for terrorism is to drone-bomb the terrorist leaders, but they're my government officials, so I want a better solution, a peaceful one, preferably. I'm open to your suggestions. Let me give you a bit of history on what happened.

In 1980, I did \$120 million in urea formaldehyde foam insulation. The government, the chairman of the SPI, the head for the standards for industry.... I wasn't consulted. We were just banned. In 78 days, we were sued 3,428 times for \$484 million. By 1981, in 78 days, my life had been ripped apart.

In 1999, the government was still attacking me. They took 13 vehicles out of my driveway over different periods of time. I went before Justice Tracy at Walkerton Court, and it was found that the government had no right to breach my Magna Carta rights in section 39, or my Constitution, or my charter rights. There's a duty on every government official to make sure that every piece of legislation that is put complies with my Magna Carta rights, my charter rights, and my constitutional rights, because basically they trump all other legislation.

I believe that when the current Prime Minister said okay to Bill C-51, he was a traitor to me as a Canadian, because my grandfather, Leslie Arthur Jefford, is listed on the Vimy Memorial and he gave his life for my Canadian way of life and my family.

In 2001, as head of a Canadian delegation, I was renditioned, I believe, and landed up in Bahrain, where my aircraft was diverted. I managed to escape because I wasn't an Arab. In October of 2001, again as head of a Canadian delegation, I was this time renditioned to Oman and then to Abu Dhabi. In January 2004, again as head of a Canadian delegation, I was kidnapped by al Qaeda and tortured in Kuala Lumpur, Malaysia. After 10 days I escaped, but in time, I said, look, my family had a great time in Washago, and al Qaeda gave me peace and quiet while I was telling them about it. At that period in time, I was able to get some free time from the agony of being tortured.

I've also talked about how, in the UFFI ban, the "Teflon man", Bob Fowler, who was head at the Privy Council for Trudeau, Mulroney, and Chrétien.... He has all my money. He took all my money. You'd be better off getting it from him, so al Qaeda kidnapped Bob Fowler and ran him around for 130 days until they got their \$10 million.

• (1745)

The Chair: I'm afraid I need to cut you off there, Mr. Jefford.

Are there any questions from the committee?

Mr. Arthur Jefford: Well, you're looking for information about radicalization. I'd say that I have been radicalized. I have the OPP liaison team working with me now.

My MPs, whether it be Miller, from Grey, or Tony Clement, don't appear when I'm before them. I wonder if I scared them, okay, because they know exactly what went on. I went from from Jackson all the way down to Bill Murdoch, to Larry Miller, to Tony Clement. On February 9, when they banned RetroFoam, Tony Clement was the Minister of Health, and he in turn knew exactly what the problems were.

The Chair: I need to end it there, but thank you. You're invited to put anything in writing. I do need to mention that Mr. Miller is vice-chair of this committee and is a very exceptional member of the committee. He is normally with us in these meetings, so I just wanted to let you know that he will do that.

Mr. Arthur Jefford: [*Inaudible—Editor*] we are in Canada. Here's a photograph to show you how the government terrorizes [*Inaudible—Editor*]

The Chair: I should have mentioned that we have an analyst from the Library of Parliament, and the Clerk of the Committee, who make us look smarter than we are.

Mr. Jack Dodds, you may go ahead.

Mr. Jack Dodds (As an Individual): Mr. Chair and members of the committee, thank you for the opportunity to comment on this important matter. I'm here on behalf of Canadian Unitarians for Social Justice. We're a faith-based organization that provides opportunities for Unitarian Universalists and others to apply their religious, humanistic, and spiritual values to social action. Most Unitarian Universalists agree that spiritual values are relevant to the everyday world and that a free and democratic society is a prerequisite for full spiritual development.

In our view, Canadians are held together by a number of defining ideas. The most important of these is the concept of a democratic society. This does not refer just to our machinery of elections and government. It implies that power is vested in the people, and that there is an equality of rights and privileges. It has a spiritual dimension. It is an expression of faith in the power of human beings to shape their own lives.

Earlier today, Professor Levi talked about research which shows that people comply with the law not so much because they fear punishment as because they feel that legal authorities are legitimate and their actions are generally fair. The perception of legitimacy depends on whether citizens are treated with proper respect, each with their own needs for dignity and privacy. These principles are

intangible, but they are ultimately what has made Canadian society peaceful and safe.

Acknowledging equality as part of the democratic vision does not just mean that every person is treated equally. It also means that when citizens deal with the government, they do so on an equal footing. In the 801 years since the Magna Carta, mechanisms have evolved to enable this vision. We require the government to obey the law, just as citizens must. When citizens come into conflict with the government, they have access to impartial judges and juries and appear before them on an equal footing with their government adversaries.

We are concerned that the present legislation and the green paper contemplate a creeping dilution of the equality between citizens and security agencies. Security agencies claim that they must operate in secret, but court orders based on secret hearings that exclude the affected people are fundamentally incapable of delivering justice.

This is even more true of extrajudicial authorization of privacy intrusions. Two weeks ago in this committee, Wesley Wark aptly described the present system as "paternalistic", and these mechanisms fit that description. To reverse the trend, Parliament should reaffirm that the only fully legitimate way to authorize searches or other actions against people is through court proceedings at which the affected person is represented. In cases such as hearings for search warrants, it may be necessary to keep the hearings secret, but in every case, the affected party should be notified as soon as is practical after the fact, providing an opportunity to challenge the court order. As well as creating a mechanism for accountability, this allows legislation to be refined by the development of case law.

I have another nine minutes, but I will not—

• (1750)

The Chair: We look forward to reading it.

Does the committee have any questions for Mr. Dodds?

Mr. Jack Dodds: My colleague Margaret Rao, who is president of Canadian Unitarians for Social Justice, will speak later and follow up.

Ms. Margaret Rao (As an Individual): Unless I can speak now...?

The Chair: I think it's probably helpful that you speak now. You're on a theme.

Ms. Margaret Rao: Thank you very much.

We are concerned about the trend towards authorizing security agencies to act against people who may not have committed criminal acts. "Counselling" and "conspiracy", as defined in the Criminal Code, provide a powerful basis to investigate and prevent acts of violence before they occur, yet recent legislation has added a shopping list of vaguely defined activities that undermine the security of Canada, quote, unquote, which can be used to justify information sharing.

Other new provisions authorize “disruption”, based on a low evidentiary threshold. This allows security agencies to build dossiers and intervene in the activities of citizens who are not performing criminal acts. In most cases, the contemplated acts of disruption, if performed by a citizen rather than the government, would be criminal or illegal. This violates the democratic vision of equality between people and government.

This recent legislation has added to the fears of some citizens who are involved in social movements. In 2013 security agencies provided classified security briefings to Canadian energy companies. A classified RCMP report from 2014 uses hostile terms to describe lawful actions such as the use of social media to promote action on climate change and conflates violent actions with peaceful protests.

The SIRC is currently investigating a complaint that citizens concerned about the Enbridge Northern Gateway pipeline were spied upon. There is a palpable appearance of bias on the part of the security agencies, which, combined with the new disruption powers, discourages people from participating in the democratic process.

In summary, Canadian Unitarians for Social Justice call on Parliament to bring democratic control to security agency activities by acknowledging that there is a tension between those activities and the health of our democratic society, by setting clear limits on those activities to ensure that democratic ideals are honoured, and by mandating proven transparency mechanisms so that citizens have the information they need to exert meaningful control of those activities.

Finally, to paraphrase theologian Reinhold Niebuhr, humankind's capacity for justice makes democracy possible, but its inclination to injustice makes democracy necessary. We should heed his words.

Thank you.

The Chair: Thank you very much. You're on time. I think you've finished the Unitarian brief as well, so that's very good. I was going to ask whether there are any other Unitarians who wanted to continue, but I don't need to. Anybody who quotes Reinhold Niebuhr is very helpful for me.

Steven Poulos is next.

Mr. Steven Poulos (As an Individual): Thank you, Mr. Oliphant.

I've been a resident of Toronto for 55 years. I run an environmental design company in Don Mills, at 1131 Leslie Street. I'm an inventor, a patent holder, an architectural designer, and a clean-tech developer. I'm very grateful to this panel today and to your staff for allowing me to have my voice with regard to the very troubling disappearances over the last decade in this country and beyond its borders, as my family and I have experienced.

My family and I are victims of a massive invasion of privacy. I don't think it is any coincidence that in this past year, as my technology that converts various forms of material into energy has been approaching its final development, the surveillance program being run on me, my life, and my family and children has reached a level of absolute pervasiveness and gross disregard for our rights and privacy in and out of our home.

I'm not sure if this is an appropriate forum, but I'll leave that up to you. Whoever is operating this program has made it impossible for me to walk, bicycle, drive, or fly anywhere on this continent or

abroad without being accosted by aircraft of every nature and size. I have many witnesses to these activities. I have video evidence of this. I have vectors, altitudes, positions, and times of the orange helicopters involved, and they are just one of dozens of classes of aircraft that stalk me in a way that goes beyond surveillance and into the realm of an uncontrolled perversion.

I have taken this in stride, never really knowing who is at the root of this carnage, and of course am afraid to speak out because of the obvious repercussions. This is the first public disclosure of this information.

I can tell you that I cannot go to sleep at night without a final round of low-altitude aircraft over my home in Don Mills at 12:45 a. m. I cannot go to any conservation areas with my family on a weekend without being hounded in the forest by orange choppers, Cessnas, all likes of jets, and turboprops at low altitudes always in my presence, which have no business being there, of course.

At my family's cottage in the middle of nowhere, we are not without a Cessna overhead upon our arrival or large Aurora-type aircraft, military choppers, or even jets, as difficult as that is to believe, at low altitudes, which have caused my neighbouring cottagers to challenge this and to call the military directly to tell them to stop this incredibly disruptive nuisance.

• (1755)

The Chair: You have two more minutes.

Mr. Steven Poulos: I will close this quickly. Again, thank you for the time. I did not prepare to speak tonight, but given the opportunity, I felt it was appropriate.

I can say that it's reaching a level of complete and utter misuse of public funds, even though it is no doubt financed as well by very high rollers.

When my young son of 13 looked into the air this summer toward another chopper following our car at low altitude and said, “Dad, they are going to kill you”, I can say that I did tremble for a moment for my life and for my family's well-being. They know exactly where I am right now, with 100% certainty.

Ladies and gentlemen, our system is broken and doing serious damage to the advancement of technologies and socio-economic opportunities. Any help in investigating or any ensuing help would be more than appreciated.

Thank you. I will co-operate with any and all governing bodies to determine the crux of this program that is now in full swing at this time.

The Chair: Thank you, Mr. Poulos. Maybe we can take this off-line and talk about it as a specific case.

Tonight, if you have a specific incident or case, that's probably best. I'm very happy to have my office staff help with it, but if we could keep it more at the policy level tonight, that would probably be useful.

Go ahead, Ms. Watts.

Ms. Dianne L. Watts: I was just going to say that we could have his submission, Chair.

The Chair: Sure. We can put the submission in too. We'd be happy to have that.

Thank you.

Next is Adam Smith.

Mr. Adam Smith (As an Individual): Hello. Thank you very much for your time and for holding these public consultations.

Bill C-51 is very likely unconstitutional, undeniably violates the Charter of Rights and Freedoms, and, as omnibus legislation where debate was cut off, it was rushed through incredibly fast for a mature democracy. Considering how rife with issues it is and that many security experts agree it isn't necessary for catching or prosecuting terrorists, I'm baffled that it isn't just repealed. It opens the door wide to potential abuses, privacy issues, and spying on Canadians, more than cracking down on terrorism. It is the definition of Orwellian: legislating thought crime and effectively turning Canada into a secret police surveillance state.

The Toronto G-20 taught us how easily our rights can be trampled, not just by using archaic and repurposed legislation like the Ontario Public Works Protection Act, but by police acting illegally: crossing the line of what they are allowed to ask of a citizen, illegally detaining, and falsely arresting.

Earlier, the point was raised about what different governments might do if empowered by Bill C-51. Considering the Harper government's disdain for democracy and protest, it's no wonder they made the law. Had Harper won the last election, we wouldn't be having this conversation. We'd be getting investigated for it.

Bill C-51 was rushed into law in a climate of fear and intimidation, fear of terrorism in the wake of the conveniently timed Quebec running down and Ottawa shooting, and intimidation, in that opposition to the bill made you a terrorist sympathizer not supporting public safety. If I'm not mistaken, on the day of the shooting, they were to debate Bill C-51 in Parliament. Passing Bill C-51 under such fear and duress is the same kind of knee-jerk reaction that causes overzealous no-fly lists and Canadians being sent overseas to be tortured based on weak evidence.

All of this ignores one simple fact. In terms of the cases made public, the most prevalent force radicalizing Canadians and the group responsible for the most terrorist activity in Canada is the RCMP itself. The Toronto 18, the VIA Rail bombers, the proven entrapped Canada Day bombers, and the straight-out terrorist bombing by the RCMP to frame Wiebo Ludwig show a clear history of manufactured terrorism and their influence of radicalization through their paid informants egging on their targets.

The Ottawa shooter fits the radicalization profile perfectly: an angry, young, low-income Muslim male with a history of mental health issues and drug addiction. The RCMP picks those most ripe for radicalization. The timing of the Ottawa shooting in regard to Bill C-51 is not the only suspicious aspect. It's also suspicious that a convicted criminal was able to obtain a long gun to carry out the shooting and that, soon afterward, the RCMP illegally deleted the long-gun registry. We are still not told where the rifle came from.

The government is also culpable for radicalization through its actions on the world stage. The Ottawa shooter, in his own video admission, bears out the influence of our government bombing Syria as a major factor in his rationale for attacking.

There seems to be zero proof or study showing that the overreaching provisions of Bill C-51 will in fact aid in the interception of terrorism. How would it have prevented the Quebec running down or the Ottawa shooter? Neither does it address any of the factors leading to radicalization.

Lastly, if I have a little time, I just want to say to you that vague terms like "interference with critical infrastructure" also beg for specificity. Critical to whom? Critical to the public and the functioning of society, such as a water filtration plant, or critical to the profits of a private company, such as a pipeline? A pipeline carrying crude to be refined and sold outside of Canada is, by definition, not a piece of critical infrastructure.

There is nothing good in Bill C-51. It should be repealed in whole.

Thanks for your time.

• (1800)

The Chair: Thank you very much.

Are there any questions from the committee?

Roberto De Luca.

Mr. Roberto De Luca (As an Individual): Thank you for the opportunity to address the committee. My name is Rob De Luca. I'm here today as a concerned citizen, but also in my role as a staff lawyer at the Canadian Civil Liberties Association. We are a national non-profit organization that has been working to protect civil liberties in Canada for more than 50 years.

One of our chief concerns regarding the Anti-terrorism Act, 2015, popularly known as Bill C-51, is the lack of new accountability mechanisms to oversee the state powers introduced by Bill C-51. On that note, we support the governing party's introduction of Bill C-22, which creates a national security intelligence committee of parliamentarians with the capacity to monitor classified security and intelligence activities and report findings to the Prime Minister.

I was happy to hear this afternoon that there was quite a bit more discussion of Bill C-22 than I was anticipating. I want to make some brief comments on Bill C-22.

One of our concerns with Bill C-22 as currently drafted is that while it is a move in the right direction, it is not sufficient to address the current accountability deficit in Canada's national security framework, such as the need for, first, integration into the investigations of existing review bodies and, ideally, consolidation in an enhanced expert review body; second, a truly independent monitor of Canada's national security laws; third, an independent oversight and review mechanism of the Canada Border Services Agency beyond any oversight and review accomplished by the committee of parliamentarians.

We are also concerned by some of the limits on the new committee of parliamentarians. Most notably, Bill C-22 gives the government the power to halt a committee investigation, an independent oversight or review, or to refuse to provide information when it is deemed "injurious to national security". I have paragraphs 8(b) and 16(1)(b) of Bill C-51 in mind.

Part of the problem with these provisions is that they cannot be reviewed by a court or by an alternative dispute resolution process. This broad limit on the committee's power seems particularly out of place given that the committee of parliamentarians will be subject to significant national security safeguards, such as a prohibition on the publication of classified information.

My questions or suggestions are twofold on this narrow question, that is, whether the committee and the Government of Canada are willing to reconsider the significant limits it has placed on the national security oversight body, and if not, are the committee or the Government of Canada willing to consider allowing courts or a specially designated institution or review body the ability to review government decisions to halt committee investigations or a government refusal to provide the relevant information?

Thank you.

• (1805)

The Chair: Thank you.

Are there any questions?

I said earlier that the Canadian Civil Liberties Association has appeared before our committee on another bill, and I expect it will be appearing again as a helpful intervenor. Thank you very much.

Mr. Rob De Luca: Thank you for your time.

The Chair: Brenda McPhail.

Ms. Brenda McPhail (As an Individual): You were prescient, in that the Canadian Civil Liberties Association is appearing before you again right now for a moment.

Voices: Oh, oh!

Ms. Brenda McPhail: My name is Brenda McPhail, and I am the director of the privacy, technology and surveillance project at the CCLA.

In the green paper, on page 6, it's noted that the Canadian Charter of Rights and freedoms "establishes a minimum standard of conduct by governments in Canada", and further notes—and we were thrilled to see this—that the minimum standards may be inadequate in some cases to establish public trust in matters of national security. We

completely agree, which is why, when we gather here to discuss the problematic aspects of the Anti-terrorism Act of 2015, the biggest problem of all is that there are a number of specific places in the act in which it arguably fails to comply with Canada's Charter of Rights and Freedoms.

Our colleague Tom Henheffer appeared before you this afternoon, and the CCLA has joined with the CJFE in launching a charter challenge to former Bill C-51, which is, as you mentioned, currently on hold while we wait to see the results of these consultations.

We have five particular areas of concern. We're troubled by the tone of the green paper, which frankly seems to be trying to justify many of the problematic aspects of the bill, particularly in relation to information sharing, which our Privacy Commissioner has now amplified as being of concern; by IRPA amendments to reduce information to special advocates in security certificate cases; by new powers for CSIS; and by inadequate safeguards around the no-fly list. In addition, even though we acknowledge and very much appreciate the government's statement that it will ensure that all CSIS activities will comply with the charter, you actually still ask in the green paper whether people think the act should be amended to make it clear that CSIS warrants can never violate the charter.

One of your witnesses said this afternoon, in response to a question about problems in Bill C-51, that we didn't need to worry about it, because those problems would be challenged in court and that's the place where they'd be solved. Respectfully, and despite the fact that the CCLA does a great deal of our advocacy work in courts, we'd much rather see a charter-compliant bill from the outset, as improved by this government with advice from your committee.

Here's our question today. In addition to taking into account the public feedback received in this consultation process, is this committee and our government committed to a genuine and thorough legal review of the act with attention to charter issues, and, if so, precisely how is that going to happen and how will it be made public?

• (1810)

The Chair: Mr. Mendicino will comment. I just want to remind the group that we're a committee of Parliament, so we're not able to answer for government. We can answer for Parliament.

Mr. Marco Mendicino: Yes, and hopefully being here is demonstrative of the intent of this committee's mandate to engage in a very robust public consultation on the national security framework. We want to thank you and all who have preceded you for your comments thus far.

Ms. McPhail, do you have anything specific in the way of prescriptive recommendations on information sharing? That's just one example that I thought I would take a moment to ask you about.

Ms. Brenda McPhail: In our challenge, the concern we have about information sharing is about the overbreadth, the unclear definitions, and the lack of procedural safeguards to make sure that Canadians' privacy interests are appropriately protected. I think our concerns are reflected in the recent report of the Privacy Commissioner of Canada, who actually did an investigation and discovered that there were some procedural safeguards lacking in terms of the instructions given to front-line staff, for example.

Mr. Marco Mendicino: We had the Privacy Commissioner testify before this committee maybe a week and a half ago. I'm a little jet-lagged and I apologize, but we've gone through several time zones, so my recollection may not be quite as precise as I want it to be. One thing he spoke about in his testimony was the threshold for information sharing between various security agencies and other agencies within the entire federal public service apparatus.

Do you have anything in particular to say about that component of information sharing?

Ms. Brenda McPhail: I believe that the threshold should be one of necessity in the face of clear and present danger; in other words, the threshold for sharing should be relatively high. In a process that's inherently invasive, it should be deemed necessary, not "possibly necessary", for the information to be shared.

The Chair: Thank you very much.

Teri Degler.

Ms. Teri Degler (As an Individual): Hello. Thank you for this opportunity. I'm a writer, a journalist, and a member of The Writers' Union of Canada, but I'm here speaking personally.

I heard Tom Henheffer talk earlier today, and I agree with every single point that he made on behalf of the Canadian Journalists for Free Expression. I thought it was an excellent presentation and so well researched, and I hope you all have a chance to read it over and really soak up what he said.

My concerns are very similar. We're concerned about the broad and vaguely worded powers that are given to national security agencies such as CSIS and to law enforcement. As writers, we're particularly concerned about the aspects in the broad definition of terrorism that make it so that, as writers, I think we might be seen as promoting terrorism when we're just reporting on it. I know it's unlikely, and I know the government says it will never charge anybody with that, but it's too vague.

As was discussed earlier today, one of the problems is that you might write an article that actually criticizes a terrorist organization, but that might incite somebody to violence. Where are those lines drawn and who determines it? I think this is a real area for you to consider in the reform of this bill.

I hope it is a reform of the Anti-terrorism Act. We keep talking about a consultation on national security—you introduced it tonight—but I think a lot of us out here are talking about the reform of what was once Bill C-51. We would like to see that reformed. Or, as many writers' organizations are calling for, just toss it out and do something new.

Another big concern we have is the possible criminalization of public protest, especially with the addition to it of interference with

"critical infrastructure". I know that the bill does specifically state that "advocacy, protest, dissent, and artistic expression" are not to be considered in this, but again, it's vague on who determines that. It's really easy to see a government deciding that something that I would think is dissent is interference. Those things are very vague. At best, we'd really like to see them tightened up if they're not tossed out.

I'll give you a quick example of how this could happen. I don't know if you're familiar with Amy Goodwin. She's a reporter and broadcaster for Democracy Now. She was reporting on the pipeline demonstrations in North Dakota, which were greatly attended by native Americans, and she took some footage. It was very critical of the security forces there.

A few weeks later, she was charged with trespassing. Then they decided that wasn't going to work, and she got charged with rioting. These charges were brought by the North Dakota Bureau of Criminal Investigation. The laws are different, but it's not a thing about the laws being very different. What's important here is that it was a pipeline, and here was this journalist, and suddenly she was charged. On Monday, the charges were dropped, both for the trespassing and the rioting.

• (1815)

The Chair: I'm afraid I need to cut you off there.

Ms. Teri Degler: Okay. Those are basically our concerns. Thank you very much.

The Chair: Thank you.

Matthew Currie.

Mr. Matthew Currie (As an Individual): Hello. My name is Matthew Currie. I represent an organization here in Toronto called "Stop C-51: Toronto". I have business cards. You can ask me after for them.

This group is part of a cross-Canada movement that is opposing what is now called the Anti-terrorism Act, commonly referred to as Bill C-51. My comments today regarding national security will be primarily centred on the problems with this package of legislation and the ways in which it can be fixed.

As many of you know, popular organizing in opposition to this legislation began when it was first tabled in 2016. From that time on, opposition grew to the point that the overwhelming majority of Canadians opposed it, including some members of this committee. I don't know if they're all here. To those of you who spoke or worked against it, thank you very much.

In light of this widespread opposition, we firmly believe that the law should be repealed outright and replaced with legislation that is measured and supportive of the democratic rights of Canadians. If, however, the government chooses to ignore the wishes of—I repeat—the vast majority of Canadians, as well as the published opinions of dozens of judges, human rights and constitutional lawyers, academics, and the United Nations Commission on Human Rights, this law should at the very least be suspended until it can be appropriately amended.

The Liberal Party, when it was in opposition, acknowledged how fundamentally flawed the legislation was. In that context, now that it is the government, its use—and it is currently being use—should be halted until the threatening aspects are removed. However, should the government choose to ignore the vast majority of Canadians, the following must be a priority.

Number one: repeal sections 12.1 and 12.2 of the CSIS Act. This is CSIS's new ability to disrupt perceived security threats. CSIS was created specifically to separate intelligence and the kinetic aspect of law enforcement. This needs to be maintained.

Number two: repeal sections 83.221, 83.222 and 83.223 of the Criminal Code. These prohibitions on the promotion of terror offences in general are vague and constitute speech or thought crime. We heard about that earlier. This is unconstitutional and, frankly, absurd. Vague laws like this one, as we know, can be used to target individuals who hold politically unpopular views, and while your government perhaps has no intention of misusing this law, political winds shift and governments change.

The Chair: Excuse me. I'd ask you just to slow down your speech for the interpreters.

Mr. Matthew Currie: It's a lifelong struggle; that was actually on my grade 1 report card.

As Canadians, we have the right to be as weird and loud as we want without interference.

Number three: ensure that there is a sunset clause, preferably of three years. One of the most distressing things about this law is its perpetuity. The law should automatically expire unless Parliament debates and re-passes each section individually. This would be an automatic review to ensure that bad laws are not on the books due to inertia.

Number four: properly define the term “threat to national security”. We've heard about this again tonight. Under this law, activities that threaten, for example, “the economic or financial stability of Canada” or “critical infrastructure” can be classified as security threats. This vague definition means, for example, that people—protestors—can be disrupted by the new CSIS disruption powers, which again, shouldn't be on the books.

Next, properly define the terms “terror” and “terrorism”. The current use of those terms in Bill C-51 is vague and threatening to democratic freedom.

Finally, define “disruption”. Currently, disruption powers are limited only inasmuch as they cannot be used to maim, to kill, or to sexually violate a person. This leaves a whole host of truly

horrendous stuff available to CSIS, the RCMP, and other law enforcement agencies.

● (1820)

The Chair: I need you to close up. You had about five minutes, and you're at three and a half minutes, so that's pretty good.

Mr. Matthew Currie: Thank you very much.

The Chair: We would look forward to a written submission as well.

Mr. Matthew Currie: I actually submitted one already.

The Chair: Good.

Mr. Matthew Currie: Finally, I want to make a point about the consultations in general, and this is my final point.

There's a belief among many people with whom I've organized, with whom I'm associated, and in the broad public that consultations like this one are a sham designed to appease the public without any meaningful action. Many people, in fact, are not here tonight because they doubt the legitimacy of these events. This was the legacy of the Harper government. Unfortunately, it's the one you've inherited. We've yet to see substantial change with this one. I challenge you to change that.

In fact, we had a stunt planned tonight, with a banner and a chant and everything. It was going to be very loud and obnoxious. But the culture of fear that Bill C-51 has already entrenched in our society meant that we couldn't get anybody who felt confident enough to actually do it, not because they feared a procedural book in front of them or anything like that, but because they were afraid of being put on a list. Please work now to change this.

Thank you.

The Chair: I want to comment on the last couple of speakers. The Minister of Public Safety and Emergency Preparedness has appeared before our committee already on the framework, and he indicated two things.

First, there were eight areas that were part of the omnibus bill and Bill C-51 that needed immediate changing. He listed those for us, and they are available in his speaking notes. He also indicated that there were a couple of other areas he wanted to consider, and he requested that our committee listen to Canadians to find out what else there is. The proof will be in the pudding over the next several years.

Our whole committee is dedicated to doing two things: ensuring the safety of Canadians and ensuring our civil and human rights. I think all parties agree that we have different processes for getting there, but I don't think anybody on the committee doesn't want public safety and doesn't want to ensure our human and civil rights.

All I can say is that we've started, we're on the road, and we're glad you're here.

Mr. Matthew Currie: We're watching.

Thank you.

The Chair: My suspicion is that it's going to take several years to evaluate the whole thing. This year we have some very quick agenda items. We already have the first bill, which is before the House now: Bill C-22. I can't speak for the government, but generally this government has told us they're not in favour of omnibus bills, so each bill will come to us as a piece of legislation. It's not as fast, but this will be ongoing work.

A voice: [*Inaudible—Editor*]

Voices: Hear, hear!

The Chair: You'll get a chance to speak. It's now Mr. Ernst's chance to speak.

Fred Ernst.

Mr. Fred Ernst (As an Individual): First, I want to immensely thank this committee for taking the time to visit Toronto. It's been a very long time since I've seen the committee in Toronto. In fact, I haven't seen the committee in Toronto, so thank you very much, members. This is a very important issue.

I'll say a bit about me. I've done public interest research for 30 years. The last four of those have focused almost exclusively on security research. Before I continue, honourable members, I would like you to meet my 81-year-old mother. Her name is Elizabeth Ernst, and she will be sending in a written submission that will likely appall every last one of you. We don't have the time to talk about that during my presentation right now.

To get right to the meat of the matter, I'm the founder of the National Security Oversight Institute of Canada. The research I do would nourish this committee, frankly, on issues germane to the matters it seeks input about from civil society. I've been studying the issue for years. I've written reports about the extrajudicial practices, including disruption, so please consider calling me as a witness for any further hearings that are going on in Ottawa.

Here's the one big issue. I brought up this issue in a post about the introduction of Bill C-51 on January 30, 2015, almost immediately after that, and I'll tell you exactly what this issue is. This is an access to information document I obtained and that I then circulated to quite a few MPs and members of the media. It was even covered in the *Toronto Star*. This report is referenced in the background to the green paper.

On page 21, it's referenced, but not by name. If you go four paragraphs down, you'll see that it says, "A 2010 report by SIRC recommended that CSIS seek guidance and direction on the issue of threat reduction." Here's that report. That mischaracterizes what this report is all about. Even the title of the report betrays what the report is about. The title of the report is "CSIS's Use of Disruption To Counter National Security Threats". It's SIRC study number 2009-05. I was able to ATIP it from SIRC, because of course you can't get anything from CSIS.

In this report, members, it very clearly indicated that disruption was taking place in Canada long before Bill C-51, and CSIS was involved in that disruption. In fact, CSIS was doing disruption. It's maddening for me to listen to certainly not this process but some of the witness testimony that comes before members such as yourselves

in Ottawa from people who represent that CSIS has just begun this process of disruption, post- Bill C-51. That is utterly false.

•(1825)

The Chair: I need to have you wrap up. You've had four minutes.

Mr. Fred Ernst: The wrap-up to this is that I respectfully request that the committee broaden the scope of its inquiry into the use of disruption both post- and pre-Bill C-51.

Those are my submissions. Thank you.

Voices: Hear, hear!

The Chair: Thank you.

Ewa Infeld.

Ms. Ewa Infeld (As an Individual): Hi. I'm a research fellow in mathematics and information security.

You guys have been doing this for a while, so I'm sure you've heard a lot of very eloquent arguments about why Bill C-51 should be repealed. I would like to tell you that this is not enough, because of international information sharing. As long as Canada is a member of the Five Eyes alliance, Canadian agencies can still use information obtained by GCHQ, with virtually no limitations from Canadian citizens. We can talk here all day, but it's kind of irrelevant you know.

The other side of this problem is that if you are a member of the Five Eyes alliance in the age of dragnet surveillance, you become complicit with NSA, GCHQ, and other agencies in breaking the rights of Canadians, which seems like a sovereignty problem. You also become complicit with said agencies breaking the rights of everyone else around the world.

I'll mention a little bit of a professional note for me. The CSE has been very vocal lately in saying that they don't mean to weaken systems. They want to build secure systems for everyone as opposed to backdoor technology. That sounds great. Let's put that in legislation. Let's not have backdoor systems.

Thank you.

Voices: Hear, hear!

•(1830)

The Chair: Thank you.

Richard Hudler, you're next.

Mr. Richard Hudler (As an Individual): Thank you.

At the Pride March, which followed and celebrated the passage of a bill that incorporated the words "sexual orientation" into the Ontario Human Rights Code, two groups were asked to lead that march. One group was the Coalition for Lesbian and Gay Rights in Ontario, the CLGRO, which is the predecessor of our group, Queer Ontario. The other group was the Right To Privacy Committee. This symbolizes the degree of importance placed on the right to privacy in our communities.

Accomplishing this success, which was met with tremendous resistance, had been the major focus of CLGRO for 12 years. It enabled us to lobby for and eventually win recognition federally in the Charter of Rights and Freedoms. Resistance to these accomplishments within Canadian society continues. We see Bill C-51 as an example of that resistance and an effort to undermine the Charter of Rights and Freedoms. Much as we appreciate the need for government to protect the Canadian public from threats of terrorism, we keep in mind that a major goal of those threats is to undermine our way of life and destroy those rights and freedoms for which we have fought so long.

Aspects of Bill C-51 that undermine the Charter of Rights and Freedoms work to support the goals of the terrorists. We entreat the government to repeal the act created by Bill C-51 and ensure that legislation brought forward to protect the Canadian public from threats of terrorism will also protect those rights enshrined in the Canadian Charter of Rights and Freedoms.

Thank you very much for hearing me.

Voices: Hear, hear!

The Chair: Thank you very much.

I'll let the committee know that we have received a written submission from your group already, and as soon as it's translated, we'll have it distributed to the committee.

Thank you.

Jens Porup, you're next.

Mr. Jens Porup (As an Individual): Good afternoon. Thank you for the opportunity to address the committee today.

My name is J.M. Porup. I am a national security and cybersecurity reporter based here in Toronto. I have covered wrongdoing at the CSE for the CBC, specifically on how the agency's hoarding of zero day security flaws endangers Canadians. Earlier this year, I broke the story in *Ars Technica* that the NSA's SKYNET program is killing thousands of innocent people due to a faulty machine learning algorithm. My work has appeared in the CBC, *The Economist*, *The Christian Science Monitor*, *Ars Technica*, *VICE Motherboard*, the *Daily Dot*, and others.

For many years, I reported from Colombia during that country's civil war. Next year, I will join the Berkman Klein Assembly at Harvard University. The Berkman Klein Center is arguably the world's leading think tank on cybersecurity. The views I share with you today are my own.

Why am I here? Cybersecurity changes everything. Technology writes constitutional law. Let me say that again: technology writes constitutional law. Mass surveillance and targeted hacking disrupt democracy and redistribute power to the intelligence agencies.

Where does that leave us? Canada faces a constitutional crisis. The powers that CSIS, the CSE, and the RCMP have seized for themselves in collaboration with their Five Eyes partners constitutes a direct assault on the powers of Parliament, a direct assault on Canadian democracy, and a direct assault on Canadian sovereignty. The question you must ask yourselves is, what are you going to do about it?

For my part as a journalist, I will continue to investigate and report on the crimes these agencies commit on a daily basis. I have no choice. For exercising my charter rights, I have personally been hacked, stalked, harassed, and interfered with while practising journalism right here in Canada. If Parliament is unable or unwilling to put an end to this kind of abuse by these agencies, then it falls to us, the press, the fourth estate, to defend democracy in Canada. If you do not do your job, then we, the press, will do it for you.

Thank you.

• (1835)

The Chair: We have Sharly Chan next, please.

Ms. Sharly Chan (As an Individual): Thank you for organizing this today and for allowing members of the public to come forth and engage with such an important issue.

My concern today rests with the information sharing act within the Anti-terrorism Act.

The green paper posed a question about general data retention periods in the context of the telecommunications sector, but what is not mentioned in the green paper is the data retention period for this act. To my knowledge, there are no indications about what happens to the data after it is shared. Would it be collected or disposed of after it has been used by the organization?

Personally, I believe the data that is shared through the information sharing act must be included in this context, as it permits the unprecedented sharing of our data amongst 17 governmental institutions and more, depending on the discretion of the Governor in Council.

Under this provision, the scope of sharing is much too wide for an activity that undermines the security of Canada. These include terms that are much too vague. As a governmental organization, you can request data for public safety or for the economic or financial stability of Canada. I would urge the clarification of such terms in schedule 3 of this act in order to prevent the limitless power to monitor and profile ordinary Canadians such as me.

If you look at the pictures on your phone right now, you'll see that most of us are hoarders. There's picture we took of an informational poster. Just in case we need it, we'll keep it, and without clearly identifiable regulations on the sharing practices of our data, I'm afraid these organizations will do just that.

We as citizens do not have adequate protections to challenge this backdoor practice despite the fact that the Privacy Act obliges institutions to limit collection of personal information to what is directly related to and demonstrably necessary for the programs or activities of government institutions.

Just as a couple of examples, in the U.K. there's a one-year period for the data collected under their Data Retention and Investigatory Powers Act, and similarly in the intelligence bill in France, which stipulates a range from about one to 12 months depending on the type of information that is collected.

As a young Canadian, I want to see more transparency and protection for the average citizen and our data doubles. I believe that clearly defined data retention periods about what information is shared, how it is shared, for how long, and the ways in which it will be de-accessioned are very important, and this will provide some protection against the possibility of profiling. The clarification of the terms in schedule 3 may reduce the unnecessary sharing of our data.

Thank you.

Voices: Hear, hear!

• (1840)

The Chair: Thank you. That was three minutes right on.

Are there any questions?

Peter Glen.

Mr. Peter Glen (As an Individual): I want to thank all the previous speakers. Having this context created today has been very educational.

About five years ago I got the idea that I had to do something, and that manifested at the time as going to marches, rallies, and protests. As you begin to get used to law enforcement taking your picture, you recognize that you've probably sacrificed some degree of privacy when you do these things, and that might be the nature of it.

What I didn't know when I started thinking about this was that I was a survivor of childhood sexual abuse, and that given some of the things that have been talked about by the previous speakers, I have to slip that into the context of my own life. When you get to the point where you're ready to heal from those kinds of things, it's really important that you know the story is being entrusted to people you trust. Given the culture of fear that's been created and has been cited by previous speakers, it's a puzzle and an enigma that remains with me as I attempt to heal from this. If that isn't troublesome in its implications at the very least, I don't know what I could say to you to convince you that it is.

Thank you.

Voices: Hear, hear!

The Chair: Thank you.

Bernice Murray.

Ms. Bernice Murray (As an Individual): I want to say a couple of things.

In terms of the security review, the government is presenting security as a question of balance between rights and security. I just want to make the point that, in terms of a starting point, you will not deal with people's security if you don't guarantee their rights. It's not a question of balance. It's a question of defending the rights of all of us. Also, it's more than just civil rights. It's a question of economic, political, and social rights. I think it's extremely important to start from that point of view. These rights are things that belong to people because, by their being, the fact is that they collectively belong to us and so on. That's the starting point for any kind of consideration.

I have a concern that the green paper and various other documents being used in the consultations divert the whole discussion of security rights into a discussion of violent extremism, and then all

the measures become acceptable because that's to combat these things, rather than dealing with the very important question. I think that even this question of the consultations particularly... I'm not sure that you're wrapping up on December 1 but some of them are. In terms of the fact that you're trying to have a discussion on security and rights in this country on the basis of two months or whatever, and one session in Toronto, it's not going to be that kind of comprehensiveness that's required.

Specifically, I'm here to raise the question of the Anti-terrorism Act, 2015, which everybody refers to as Bill C-51. While I'm saying that these consultations are not serious in the sense of "extensive", I would say that the discussion and public consultation that took place on Bill C-51—no thanks to the government of the day—was extremely broad and extremely deep. Somebody else has already mentioned it, but there were actions all across the country. There were broad discussions. There were town halls. There were days of action. There were 311,000 signatures on a petition to repeal the bill.

I think it should be brought before you that the question of this bill has been discussed, and the Canadian people have given their verdict on it. That verdict is that they want it repealed.

On the whole question of the Harper government, one of the issues... I ran as a candidate in the election and did door-to-door work right from January 2015 on. One of the very big concerns of people across the area of the city I was doing work in was Bill C-51, and it was that it should be repealed. There is definitely no mandate that can be alluded to by any party to say that the bill was something they should hold on to. I don't think it's reformable and so on.

I also want to point out that what is now the governing party pointed out that they would repeal the problematic aspects of the bill. I would just like to point out that they're all problematic. The bill itself should be repealed.

Voices: Hear, hear!

Ms. Bernice Murray: I have particular concerns on the whole question of the criminalization of dissent. I have particular concerns that we have a government that says it's for indigenous rights and for new nation-to-nation relations, and yet that bill specifically targets areas where the defence of your land and the defence of things that are part of the sovereign rights of indigenous people can come under the definition of terrorism. I'm particularly concerned about the broad definition of "terrorism-speak", where people simply giving their views can be considered terrorism. It's fine, as the bill says, that some of these things are "well, you know, we wouldn't do it", but the fact of the matter is that only legal demonstrations are excepted from this. This is actual law.

I would encourage the committee to look at the broad amount of information that was submitted, probably not to yourselves but to the consultations on that bill, from all sectors of society, from constitutional experts, and from civil liberties experts and lawyers of all sorts. It's a huge wealth of information. I think it all speaks very strongly to the fact that this should be repealed. Any legislative sorts of measures that were needed were already there in the Anti-terrorism Act, 2001. That act already was problematic because it introduced this question of interference with critical infrastructure. One of the sets that's targeted by that, quite frankly, is workers. If you go on strike at an infrastructure site, or if you go on strike and your strike has been declared illegal, illegal simply on the basis that the government said you should go back to work, this is considered interference with the economy of Canada.

• (1845)

The Chair: I'm afraid I need to stop you. We're well over time.

You're actually quite like some of the members of all our committees. You don't take a breath.

Voices: Hear, hear!

The Chair: Thank you very much for your presentation.

What was helpful for me on that was the reminder that the environment and the economy are not either-or issues, nor are our rights and our security. I think that's a very valid point that you brought for us. Thank you very much for that.

Evan Light.

Mr. Evan Light (As an Individual): Hello. My name is Evan Light. I'm an assistant professor of communications at Glendon College, York University, which is—

The Chair: In my riding.

Mr. Evan Light: It's in your riding? Hello.

I'm also a collaborator with the Snowden Digital Surveillance Archive that's hosted at Canadian Journalists for Free Expression.

I'm here today to speak about mass surveillance in terms of Bill C-51. I'd like to impress upon the committee the opportunity you have to really set Canada apart, which is supposedly what the Trudeau government was elected to do. You have the opportunity to take this bill, which is malformed in many ways, and potentially repeal it and spend time developing something proper, something that puts human rights into the centre of the regulation of communication or the regulation of privacy, something that values people's privacy instead of violating it.

As one of the previous speakers said, you have the opportunity, for instance, to step away from the Five Eyes alliance, which automatically makes every Canadian citizen a victim of mass surveillance around the world. This isn't just speculation. This has been proven time and again over the last three years. I think mass surveillance is dangerous to parliamentarians and to our democracy. The fact that I can't knowingly communicate securely with my member of Parliament is a problem. The fact that you and I can't send encrypted emails to each other is a problem.

Last year, I had the opportunity to interview a deputy chair of the Senate committee on national defence and security. I spoke with him

about the management of computer networks at Parliament. He had no idea who set the policy, but thought that, you know, maybe using encrypted email would be a good thing to do because the government in power can spy on me, because CSIS can know what I'm doing, and because maybe privacy is something that I should integrate into the way I operate.

I'll stop before the three minutes is up, but—

• (1850)

The Chair: You're already at two.

Mr. Evan Light: —I just wanted to impress upon you that you have a unique opportunity on an international scale to set Canada apart in terms of what we think about human rights and how we value them. I suggest that with a majority you could repeal this bill easily and spend the next couple of years doing a serious public consultation instead of a one-week whirlwind one across the country with no advance warning. Academics like me can come together and provide you with real information.

There's an incredible amount of publicly funded research in Canada on surveillance and privacy, on telecom, and on security, and an incredible amount of publicly funded research in Europe. There are resources out there that you can have easy access to, that you've already paid for and you don't need to ask for, so you don't need to form committees to do the research. There's a lot of it out there already. You just need to give us fair warning and make us partners in it.

Thank you.

The Chair: Very good.

Are there questions?

I have a question. We have three parties represented here at the table with differing opinions, so we try not to debate with people who give us their ideas. In the last election, we had a party that was against Bill C-51, a party that was for Bill C-51, and a party that was for changing problematic parts of Bill C-51. There were three different views and, as the last speaker said, there was a variety of public consultations and 311,000 people on a petition, etc. We have all that.

The election happened. Democracy happens in our system. The party that said they were going to repeal problematic parts won the election, but people are telling us, no, our mandate is to repeal it, which we told people we weren't going to do. I'm trying to square that circle to understand your.... Is it the democracy problem or...? I'm just trying to figure that out, because the party that wanted to repeal the bill did not win the election. The party that wanted to keep it did not win the election. The party that wanted to repeal problematic parts won the election. How do you...?

Mr. Evan Light: I would say that you should—

Voices: Oh, oh!

A voice: The party that won the election right now [*Inaudible—Editor*]

The Chair: You'll get your turn.

Because you gave us advice, Mr. Light, I'm just trying to figure out how I square that circle.

Mr. Evan Light: Sure. I would say, above all, hold a proper public consultation. Hold a long-term, participatory, open, and transparent consultation. Just do it. Don't create something that people can call a sham.

Voices: Hear, hear!

The Chair: Ms. Watts has a question.

Ms. Dianne L. Watts: We know that a significant amount of research has been done on the issues of intelligence, cybersecurity, and all of that stuff. Can you suggest one or two best practices? Some of that research.... When I hear you say to pull out of Five Eyes, get out of everything, and don't engage in the global intelligence world, I'm thinking that there has to be a better way, because we have to know what's going on in the world.

Mr. Evan Light: There must be a better way, but for me there has to be transparency on the part of the government so that those of us outside government know how these things work. Right now, we don't, and I think that even members of government don't understand how they work. Last year, when I interviewed a deputy chair of the Senate committee, this same committee in the Senate, he explained to me that he didn't have the security clearance to understand.... He was asking about what CSIS did, when he had the chair of CSIS before his committee the following day.

I think we need real parliamentary oversight. We need judicial oversight, but we also need parliamentary and governmental transparency. People can't protect themselves if they don't know what they're up against.

Ms. Dianne L. Watts: I understand that, because you look at things that are posted on Facebook and Twitter and Facebook has all of your information. The information is out there. It's about how it's being used. We know there are hackers all over the world getting into systems and getting information.

Going back to squaring something up, knowing that this world is alive out there, and knowing that we want to protect the rights of our residents, yours and mine, how do we manage that in that world?

• (1855)

Mr. Evan Light: I think you have the tools already. You have CSIS and CSEC, which have billions of dollars in funding and all this intelligence and expertise, which is used in very secretive ways. If you take those powers and open them up, use them transparently, and use other forms of governance.... We have government that for years now has been talking about the problem of understanding the digital economy and big data. You have this entire part of government that's hived off from the rest that has these tools and has this knowledge.

Ms. Dianne L. Watts: Yes, but that's where we get into the national security piece. If we just take that information and do a dump into the general public, I don't know if that's advantageous either. Or do you think it is? That we should just do it with all information....

Mr. Evan Light: On the spot, I can't say one way or the other. I think this has to be a long-term participatory decision-making process. It can't be made on the spot. It has to be a big co-operative

deal, because it's something that affects all of us, that affects our kids, our parents, and our hospitals and research institutions.

I work with researchers on projects around the world. In working with vulnerable communities, for instance, a project that I was part of was working with seniors' groups around the world. You don't want to store your data on Dropbox because it's in the U.S., and you're telling people, in goodwill, that you will protect their identity, that you will protect that information, and you actually can't.

Ms. Dianne L. Watts: You can't. That's right.

Mr. Evan Light: You should be able to. The Canadian government tells people that they fund for doing research and you have to keep your information secure, but at the same time it engages in activities that violate that security.

Ms. Dianne L. Watts: Thanks.

The Chair: Are there any other questions?

Thank you. We now have your name on the list of people not breaking secrecy for experts for our committee, so it's good to know who you are.

Sharon Howarth.

Ms. Sharon Howarth (As an Individual): Thank you.

Sharon Howarth is my name. When my daughters were younger, I had to look to see what was the most important thing they needed me to be working on. My research concluded that it was solutions to climate change.

One of the groups, Climate Action Now, has just put up this chart which shows that if we do not curb emissions and keep them below the two degrees, boy, are we in trouble.

First of all, if we go beyond the two degrees, that's horrendous, not only for the planet—it doesn't matter about the planet—but for humanity to be able to survive. It shows desertification of the southern part of the U.S. That's the direction that we're heading in, and those people are not just going to sit there. They're going to walk into Canada. The Pentagon, years and years ago in their report, said that the greatest issue that affects national security is climate change.

When I heard about Bill C-51, I became paralyzed that I could be targeted because I was speaking on a topic that I knew about and either participating in rallies or protests or just speaking up, as paralyzed as I am now. I still can't.... Look at this. This is unbelievable, yet I could be targeted, and also my neighbours and on and on we go. For me, my ability to have free speech in Canada—we have to be a role model here—superseded any perceived threat of terrorism. I really want you to take this free speech and constitutional.... That has to be the most important.

Thank you.

The Chair: As I suspected at the beginning of the meeting, we have a number of people who have added their names to the list. I am going to now suggest that we move to two minutes per speaker so that everyone will get a chance to say something.

I know that some themes have developed and emerged. I suspect that those themes will continue, but we'll try to go for two minutes per speaker.

Set Shuter.

• (1900)

Ms. Set Shuter (As an Individual): Hello. Thank you very much for listening to me, and yes, Set Shuter is my real name.

I come from a single-parent family. I put myself through school. I got a degree in sociology and then another degree in sociology, and now I'm a video engineer, filmmaker, and comedian. One of the things I do every day is data management. I work for a relatively large post-production house here in the city. Every single day, I deal with how much it costs to keep data online, how data is tracked, etc.

One of my biggest concerns as a taxpayer who is happy to pay my taxes to live in this amazing country, which I'm grateful to live in, is how much money this is going to cost, what data is being collected, how it's being collected, how long it's being kept, how it's being kept, and what the budgeting is for this. I feel that there are many other things in this country that we could be tackling rather than keeping all the data that was discussed earlier by many other people—random text messages, email, etc.—and that we don't necessarily give a second thought to. Maybe it's being stored somewhere. Maybe my tax dollars are paying for that rather than something else, such as education, day care, your salaries, etc.

In terms of recommendations, I studied surveillance when I was doing both of my sociology degrees. In preventing Canada from becoming a surveillance state, which is happening around the world, I think accountability with an oversight committee would be great, and an oversight committee not just of parliamentarians but also of legal professionals and civilians. I think it's very important that people like us have a say. Having the oversight committee include civilians may give another perspective that is sometimes forgotten when you are a government official or a lawyer. It's just another perspective.

I think transparency is also very important. We need to know what you're doing, we need to know how, and we need to know what you're keeping and for how long, etc.

As a young person in this country, I want to say that I understand in this time that we need to have a balance between surveillance and people's individual rights. It's inevitable now. We live in a society in which surveillance is everywhere. We can't get rid of it. That's not the goal anymore. It's balance: keep our rights and our safety. I hear you talk about people's safety. I don't think terrorism is as much of a threat as the media would make us believe. I would rather keep my rights.

At the same time, I understand that there are many things going on in this world. It's very complicated, with the technologies we have. Our laws are not catching up to how quickly technology is innovating. I know that, and I know that many people understand that. I appreciate your committee's trying to make changes to this bill, which should not have been passed in the first place by a previously, I would say, tyrannical prime minister.

Thank you.

Voices: Hear, hear!

The Chair: Thank you.

Paul Dutton.

Mr. Paul Dutton (As an Individual): I understand this committee to be consulting Canadians on what to do about Bill C-51, regardless of who won the election and how.

I have these things to say about the shaky structure. If the shaky structure won't stand and is going to fall down on you, then get rid of it and build something that's stable.

Here's where it shakes. First of all, there are three areas of concern: the new no-fly regime in the Secure Air Travel Act; terrorism speech offences; and the new CSIS, which is a de facto secret police.

Concerning the new no-fly regime, under the new law it is illegal to tell an individual if they are on the no-fly list or not. You go to the airport, you're on the no-fly list, you're told you can't fly, and you're not told why. It's illegal for them to tell you why you can't fly. That should be illegal in itself. That's unfair and undemocratic. It's a gross offence to human rights.

While it is next to impossible for citizens to gain access to their own listing, the act allows the listings to be shared with foreign governments, with no statutory limits on how that information can be used. Canada should repeal the Secure Air Travel Act and keep suspected terrorists away from airplanes by using the existing tools under the Criminal Code. The government should repeal the Secure Air Travel Act and Bill C-51. That's what this member of the public has to say in consulting about it.

As for terrorism speech offences, the new offence of advocating or promoting the commission of terrorism offences in general should be repealed. There is no security interest in further criminalizing expression beyond what was already an offence prior to the new law. Imagine trying to work within communities to support individuals at risk for radicalization of violence when even a discussion to understand their views puts them in a position of potentially committing a crime. This is the situation that currently exists in Canada.

The new CSIS is a de facto secret police. It folds the functions of police into the functions of an intelligence organization. This is a factor of a police state.

• (1905)

The Chair: I'm afraid I need to have you end there. We'll hear from other people. We're happy to have a written submission as well.

Mr. Paul Dutton: The new CSIS powers are unprincipled, dangerous, and unnecessary. They give CSIS vast powers to operate outside the confines of the regular law in near total secrecy. These provisions must be repealed. While a free and democratic country can incorporate the need for an intelligence agency to operate with considerable secrecy, there is no place in a free country for a secret police, full stop.

Voices: Hear, hear!

The Chair: Semret Seyoum.

Mr. Semret Seyoum (As an Individual): Thank you very much for giving me this opportunity.

I would like to start by talking about my appreciation to the Canadian government for inviting UN world expertise, as yesterday I was participating in a meeting about African dissenters. It is always terrible to hear very terrible stories about African dissenters here in Canada. I'm hopeful for the near future in terms of that one.

By the way, my name is Semret Seyoum, and I'm an editor and journalist. I came from Eritrea.

Regarding terrorist laws and Eritrea, there were two organizations, the EPLF and the ELF. The laws of the Canadian government say that both organizations are terrorist organizations. According to this law, every member of these organizations is considered a terrorist. When we talk about these organizations, we are talking about 200,000 people who were young people in the seventies and eighties. From these 200,000 young people, around 65,000 were already sacrificed for Eritrean independence. I would like to talk about this law. It is not constitutional. This law is not based on fundamental human rights. These young people fought for Eritrean independence. Many Eritreans who are at this time in Canada are considered terrorists.

As a child, I was there also. I went to the EPLF school in the eighties. This is a bit of a problem for the Canadian government. I would like the Canadian government to respect the Canadian constitution. This immigration law is unconstitutional. If we respect the Canadian Constitution and the Charter of Rights and Freedoms, maybe everything is going to go in the right direction.

Regarding Bill C-51, also, if we look very closely at the laws, the target is not directly the terrorists. The target is directly the journalists, the authors and writers. Journalists in every country are victims of the different laws and whims of the government.

•(1910)

The Chair: Thank you.

I need to have you end there, because I have to get to more people. Thank you very much.

Voices: Hear, hear!

Mr. Semret Seyoum: Thank you.

The Chair: Ben Silver.

Steven Brooks will be next.

Mr. Ben Silver (As an Individual): Members of the committee, thank you.

Like many Canadians under 30, I have never spoken at a political gathering before, but Bill C-51 makes me quite angry, so here I am.

First, I'd like to square the round peg you mentioned earlier about how the Liberals got a majority government and yet it seems that a lot of people want to repeal Bill C-51. It's good that the Liberals don't do omnibus bills, but for the average voter, election time presents us with a choice among five of the biggest omnibuses ever. We have to pick the parties as a whole. While we may like the Liberals more than the Conservatives, that does not mean there is broad support for Bill C-51.

The first issue I have with Bill C-51 is the broadening of CSIS's powers to include police powers. Previous speakers have enunciated better why that's a problem, so I'll move on. In June 2015, Mr. Trudeau gave an interview to *Maclean's* magazine where he listed why he supports the bill. Some of his reasons for supporting it are exactly my reasons for not supporting it.

The first is preventive detention. I consider it a sacred principle of our society that the government cannot put you in a cage until they have proof beyond a reasonable doubt that you have done something very wrong. The idea that you can be locked up because they think you may do something wrong in the future is abhorrent and has no place in a liberal society.

Number two is the no-fly list. It's a page taken from the flawed American playbook. If Mr. Trudeau starts adding Canadians to a secret no-fly list based on secret evidence, I will add him to my very public no-vote list.

Finally, exchanging freedoms for security is a fool's errand that won't work. Terrorism can be one disturbed person with a kitchen knife. No matter how many securities we surrender, you will never stop the possibility of that happening. We could better fund our mental health services and we could work on education to stop the radicalization of previously healthy members of society.

For perspective, 80 people are killed every year on Highway 401. If the government wants us to give up our freedoms, they need a scarier boogeyman than we accept when we're driving to work every morning.

Thank you.

Voices: Hear, hear!

The Chair: Steven Brooks, and then Rajib Dash.

Mr. Steven Brooks (As an Individual): Everything I have to say here today has already been said better by those here in the audience. However, we've come to criminalize dissent in this country. An entire generation of young people feel fearful to speak, even across their own social media platforms in privacy. Experiencing this before coming here today, friends would not attend for fear of being put on a watch list. These are politically active people. They vote and they have party memberships. They should not be afraid to attend something like this.

That's all I have to say on the matter.

Thank you.

Voices: Hear, hear!

The Chair: Rajib Dash, and then Miguel Avila.

Mr. Rajib Dash (As an Individual): I've never been part of a public consultation before, so I was under the wrongful impression that I was going to pose questions and I was going to get answers back. For that reason alone, it seems like a sham, so I don't even want to ask the question I came here to ask.

Secondly, as food for thought, it could have been both sides, but the people who are here today have devoted a lot of time and energy to research what you guys are trying to pass through and they have all come from one side. Try to understand what this means to us.

• (1915)

The Chair: Did we have a question?

Mr. Mendicino.

Mr. Marco Mendicino: What's your question? I'm taking notes. We may be able to provide some answer or some information.

Mr. Rajib Dash: Not a "may be": my impression was that I was going to get answers.

Mr. Marco Mendicino: Okay. What's your question?

Mr. Rajib Dash: Again, guarantee me that I will get answers. Otherwise, I'm not going to pose it.

Mr. Marco Mendicino: Sir, I can't tell you whether or not I have the information until I know the question.

Mr. Rajib Dash: It's a very simple question. I didn't even have to write it down.

Mr. Marco Mendicino: All right. Well, pose it.

Mr. Rajib Dash: My impression is that prior to the implementation of the Anti-terrorism Act, Canadians were safe. All entities of the government, including CSIS and so forth, were doing their job in keeping us safe. If that assumption is correct, why do we need the Anti-terrorism Act? Repeal the shit out of it.

Voices: Hear, hear!

The Chair: Mr. Dubé has a question as well.

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Thanks.

I just wanted to say with regard to answering questions that the challenge we have in this format is that we all have different positions on these issues, so inevitably you hear everyone's position. I don't want to speak for my colleagues. I would assume that like we usually do, we'll all hang out in the room if you want to challenge us.

I know I will if you have other questions. It does become difficult, because then we start debating each other the way we do in the House, and we want you guys to have the most time on the floor, which is why I'll end there.

A voice: I would like to suggest that [*Inaudible—Editor*] No one has answered the question [*Inaudible—Editor*]

Mr. Matthew Dubé: With the chair's indulgence, my point is.... I don't want to get into it, but I was in the last Parliament and I voted against the bill. I agree with the point he raised. That's not necessarily the case for all colleagues. In fact, some of the other colleagues weren't even in the last.... That's the challenge that arises. You'll hear a different answer from everyone.

A voice: [*Inaudible—Editor*]

Mr. Matthew Dubé: From my point of view, but not necessarily from my colleagues.

A voice: [*Inaudible—Editor*] He said, what's the point of asking the question [*Inaudible—Editor*]

Mr. Marco Mendicino: The chair may want to elaborate a little bit on what the purpose of this meeting is. The primary purpose is to consult with you. Many of you have made your views very clear. While I think the question from the last gentleman who was up at the mike was posed in an open-ended way, he ended with a very conclusory statement. His statement was—

A voice: [*Inaudible—Editor*]

Mr. Marco Mendicino: Sorry, I'll just finish.

His statement was "repeal it". As I have been taking notes, and I don't think anybody's going to dispute this, I certainly am getting the sentiment from the room that there is a lot of concern with the legislation and there's a desire to see it repealed. That's not so much a question as it is a statement about what you are expecting will be the result of this consultation. I think we're all trying to take good, accurate notes about what your thoughts are.

A voice: I did pose a question.

The Chair: Yes, and I think Mr. Dubé was helpful in reminding you that we are not the government. We're Parliament and we are not of one mind at this committee. We're Parliamentarians who have many minds, frankly. We represent three parties, and even within our parties we have a diversity of opinions. We are not able to answer a specific question because our committee has not written its report. We're not here, frankly, for you to consult with us. That's not why we're here. We're here to consult with you.

Our task tonight is to listen to you, as we've been doing. We've been taking notes. It's all being written down. We have several people working at making sure we get the information. At the end of the process, which goes on for many weeks—we don't even know yet how many weeks it will go on—we'll issue a report about what we heard, and then, from what we've heard, we'll make recommendations to the government through Parliament. That's the Canadian system of Parliament.

We're here to hear you. We've been hearing you. There are themes emerging. One of the things that our analyst does is a summary of evidence, where we write down the themes. We obviously have to do this. The meeting here is different from the one in Vancouver, which was different from the one in Calgary, which will be different from the one in Montreal, and which will be different from the one in Halifax.

Expert witnesses are different from the general public. We'll have briefs coming in. I expect that hundreds of briefs will come in, if not thousands, and there will be people who don't go to meetings because that's not their preferred choice of expressing their opinion. They will express it through writing us a brief or they will speak directly to the minister who is doing a consultation, who has already had, by the way, 8,000 submissions last week.

All 338 Members of Parliament will be consulting. We're the committee doing this, but every one of you has a member of Parliament. I would encourage you to speak to your member of Parliament regardless of what party they are in. Tell them your opinions. Frankly, MPs listen. That's our job.

We're still listening, so Miguel is next.

I just have a note that this public meeting is recorded, by the way. All our meetings are recorded. A transcript is prepared. That is a public document. You can see what we heard. You can see all our meetings and what we hear, and then you'll see our final report when it gets to Parliament to see whether we fairly represented what we've heard.

● (1920)

Mr. Miguel Avila (As an Individual): Thank you very much for this opportunity to share my thoughts and ideas on Bill C-51.

I want to congratulate a number of Canadians here tonight who are brave enough to come and speak on this important item.

Tonight I feel offended that I had to come into the reception desk and submit my ID, my phone number, and my address. I think it's scary for someone who is not a political activist I am to be engaged in these kinds of conversations. People will be afraid.

My name is Miguel Avila. I'm an activist in Toronto. Originally, I am from Peru. I escaped a tyrannical government and, 29 years later, I'm here now fighting an oppressive bill that wants to shut out my voice. It will not let me express my opinions.

The reasons have been explained already by the community. They have been already detailed and explained to you. Every member here has a copy of all those deputations and submissions. It's going to be a wonderful report.

As for the promises that Prime Minister Trudeau mentioned, he said was going to repeal it, but he's cherry-picking things that he likes because he wants to make the companies happy. We are against that.

For instance, there's Enbridge. This is throwing away the environment, but you know what? He is going to be heavily lobbied by the corporations to ensure that this bill is in the favour of the corporations, not in the favour of us, the people. We want to ensure that our children have a better future. I'm sure you all have families,

and I'm sure you all want to have a good environment where your children can grow in freedom. We want to remind you that the Constitution gives us the freedom to speak and not to be silenced.

I appreciate this opportunity. Thank you so much.

The Chair: Thank you very much.

Ms. Watts.

Ms. Dianne L. Watts: Very quickly, and for your information, because I know you said that when you came in you had to sign the paper and put down your name, address, and email. Maybe the chair can elaborate as to where that information goes, since we're talking about privacy and information, just to make sure you're satisfied that it's not being spread around everywhere.

● (1925)

The Chair: The information is not published. It stays with the clerk, who is an officer of Parliament, and it is destroyed at the end of the session. We keep it in case we need to clarify what you said in our public document, because we keep track of those things. That's why we do it. Then it's destroyed.

Ms. Dianne L. Watts: Then it's destroyed.

Mr. Miguel Avila: There's one thing I want to add. I forgot.

You know, Harper gave away money to the RCMP and the border agency. Is it possible that you can recommend to the Justin Trudeau government to take back that money and use it for good things, such as housing, employment, and health? That's what we need money for.

The Chair: We've heard you.

Mohamed Shukby.

Mr. Mohamed Shukby (As an Individual): Thank you very much for the opportunity. Before I begin, I would like to join my fellow citizens out here. I strongly disagree with Bill C-51 and there's no question about it.

What I want to talk about is the GSP, the government security policy, especially regarding the security clearances on different levels. I was going through this document. When you want a security clearance, what you do is voluntarily give up all your information to the government to investigate and get back to you. This talks about how they're going to do a background investigation, and you are voluntarily giving up your information for them to check.

It doesn't talk about how they are going to do this investigation. It talks about out-of-country checks. It never talks about how they are going to do them, who they are going to consult, and what kind of information is going to be shared with a foreign country. I think that a person who is voluntarily signing up for that has the right to know what kind of information is going to be shared with a foreign country.

Thank you.

The Chair: Thank you.

Eric Mills, and then Faisal Bhabha.

Mr. Eric Mills (As an Individual): Thank you. I speak as an individual.

In the 1960s, the RCMP burned down a barn to prevent a political meeting. They broke into an office to steal the membership list of an electoral political party. They spread false rumours of an individual's psychiatric history in a political group, and they did other things. These and other revelations created a scandal that led, of course, to the McDonald commission, which we know well, and to I think the Keable commission in Quebec.

That led to the creation of CSIS, in order to remove political analysis from the RCMP and turn them into just a police force, but that didn't stop the RCMP from, as we have heard, bombing an oil well in Alberta and from entrapping two rather confused individuals in B.C., as we saw in the court case that came down recently. Bill C-51, rather than reining in the security forces from these behaviours, seems to encourage more of it by CSIS, and probably by other security forces as well as by the RCMP.

The Harper government used rhetoric linking environmentalists to terrorism. Under Bill C-51, would the committee think that a community organizing to protect clean drinking water could be surveilled and disrupted?

Bill C-51, as I understand it, even authorizes security forces to request a warrant to explicitly violate the Charter of Rights and Freedoms in order to disrupt a political movement. I presume that asking a judge to override the charter would be found unconstitutional eventually. If it isn't, we might as well go to Texas. How likely is it that a case could even get to court, how long would it take to get a judgment, and even if the judgment found the warrant unconstitutional, how long would the law remain on the books for security agencies to cite?

This is just one example of Bill C-51's outrageous and flagrant abuses. It's shameful that the party that became the government voted for this bill, and it would be just as shameful if this committee didn't recommend the outright repeal of Bill C-51 or a complete overhaul that amounts to repeal. I think you should go on to redress the abuses by the security agencies that went on before Bill C-51 and that undoubtedly are continuing to go on.

Thank you.

The Chair: Thank you.

That was very clear.

Faisal Bhabha, and then Chaitanya Kalevar.

Professor Faisal Bhabha (As an Individual): Good afternoon, and thank you.

My name is Faisal Bhabha. I'm an associate professor of law at Osgoode Hall Law School. I'm here in my capacity as the occasional counsel to the National Council of Canadian Muslims, the NCCM. It's an organization that's been actively advocating on issues related to national security for at least 15 years. It has appeared before parliamentary, Senate, and other committees, as well as the Supreme Court of Canada, on relevant issues.

Not surprisingly, I'm here to echo a lot of what you've already heard. I don't want to repeat the specific reasons why you should repeal Bill C-51, the Anti-terrorism Act, 2015. There are general or contextual reasons that I want to talk to you a bit about. This relates to the experience of Canadian Muslims specifically in living under

the current threat that is posed to them as a result of the very existence of the powers under this law.

On the one hand, Canadian Muslims face the exact same risks of death or injury as a result of a terrorist attack. Globally, Muslims have been the overwhelming victims of Islamic terrorism. That's the unfortunate irony of the thing. At the same time, here in Canada, we also face the risk of mistaken identify and wrongful suspicion, which can bring on an entire world of pain. We know a lot about that.

The green paper cites the reports that adduce plentiful facts that show us how badly things can go wrong when the RCMP and CSIS operate without effective oversight. Just ask Arar, Almaliki, Nureddin, El Maatii, Benatta, and others.

The Honourable Dennis O'Connor, specifically in the Arar case, warned about the discriminatory impact on Canadian Muslims as a result of the simple fact that intelligence and security enforcement appears to be obsessed with Islamic terrorism, and they don't seem to be looking at other sources of terrorism that may pose greater risks. We're asking for rationality in security and not overreaction, which is what Bill C-51 represents.

We firmly believe that the criminal law as it exists is sufficient to protect Canadians, and we warn you against the dangers that come from the excessive powers, the excessive information sharing, and all the things you've heard about tonight.

• (1930)

The Chair: I'm afraid I need you to end there.

We have invited the National Council to speak as a formal witness at our committee, so the group will be here as well.

Prof. Faisal Bhabha: Thank you. I might see that.

I'd just say there's an inherent contradiction between the prevention strategy and the green paper, which is laudable, and the rest of it. The two cannot operate at the same time in a credible manner. If you want to work with communities, then you have to earn their trust first.

Thank you.

Voices: Hear, hear!

The Chair: Thank you.

Chaitanya Kalevar, go ahead, and then David Henderson.

Mr. Chaitanya Kalevar (As an Individual): My name is Chaitanya Kalevar. Just call me Chai for short.

I am an engineer, and I belong to a group called Architects and Engineers for 9/11 Truth. I would like to bring to your attention that the whole terrorism world came onto global prominence after 9/11, and we engineers and architects are convinced that 9/11 was a false-flag operation.

Since Canada is so closely linked with the United States, and a part of Five Eyes and all of that, I think we should be questioning that. Why is terrorism a big problem when you haven't even gotten hold of the two criminals who started terrorism in Iraq, the two SOB's: son of a Bush and son of a Blair? I think we have to address it and get these two people up before the International Criminal Court before we start dealing with this petty terrorism that is coming out of Iraq and all the Middle Eastern countries. There, they have been bombed to death, and whole communities have been destroyed. When are we going to deal with the big terrorists that belong to the Five Eyes group?

I think that unless we address those things, terrorism will continue. If I may put it this way—by the way, I am also the author of a book called *Climate Change in the Nuclear Age*—do you think this petty terrorism is more important than climate change and the nuclear threats that you face?

Voices: Hear, hear!

Mr. Chaitanya Kalevar: What kind of joke is this? You're running around because one guy shot somebody and one guy knifed somebody, and there's this nuclear threat around the world and there are five bullies sitting at the United Nations Security Council. Those challenges of nuclear threat and climate change are a lot more important and deserve a lot more of your attention than this petty threat that you ask about.

Having said that, let me make the point—

• (1935)

The Chair: Thank you, Chai. We have to end there.

Mr. Chaitanya Kalevar: Before you end it, I want to say that instead of cutting our time to two minutes, you could have extended the time that you are here to three hours instead of two hours. Why couldn't you do that?

The Chair: There are reasons. I'll tell you afterwards.

Mr. Chaitanya Kalevar: I don't need any private conversation on that.

The Chair: We have a formally scheduled meeting. We have members who have other work to do.

Mr. Chaitanya Kalevar: In a city like Toronto, two hours is not enough [*Inaudible—Editor*].

The Chair: David Henderson is next, and then the last one will be Dimitre Popov.

Mr. David Henderson (As an Individual): Good evening. My name is David Henderson. I'd like to start by expressing my gratitude for the opportunity and the forum to speak here tonight. I think it's very important. I also appreciate that my concerns are going to be part of a broader public record.

I come here tonight as a citizen, a taxpayer, a father, a husband, and a son. I came here tonight because I'm appalled at the human

rights and privacy violations that are taking place in Canada. It saddens me to know that my 10-year-old son has never had the benefit of a day with true privacy. I'm shocked that, in Canada, my daughter or my mother could be picked up without warrant, without benefit of charter rights, without counsel, without charges, and be detained.

What the federal government is doing to law-abiding, taxpaying citizens is shameful. The fact that it is being carried out in the name of national security insults my intelligence. All you have to do is look at the return on our investment with this matter. The fiscal waste should be enough to repeal this law, and the long-term and far-reaching social costs should be the nails in its coffin.

I'm going to leave you with a quote from Ben Franklin that succinctly sums up the very important issue in front of us and our country tonight: "Those who would give up essential Liberty, to purchase a little temporary Safety, deserve neither Liberty nor Safety."

Thank you.

Voices: Hear, hear!

The Chair: Dimitre Popov is the last one.

Mr. Dimitre Popov (As an Individual): Thank you for this opportunity. Maybe I should say thank you to Mr. Trudeau, who sent you to hear us.

Isn't it true that Bill C-51 was enacted to ensure public safety? That's a question.

The Chair: I wasn't in Parliament when it was debated. I think you would have to ask the government of the day, which put it in, what their intention was.

Mr. Dimitre Popov: I have another question. Do you know how many people are killed by drunk drivers every day in Canada?

The Chair: I don't know the answer to that. We're dealing with a bill right now about that as well, so I'm sure we'll get that research.

Mr. Dimitre Popov: Okay, I will tell you: the answer is three people a day, which amounts to over 1,000 people killed by drunk drivers in Canada. Now, the question is, how many people die a day as a result of a terrorist act on Canadian soil?

The Chair: I know how many have been killed in recent years. I know that Canada and Canadians are one of the largest communities affected by death, with Air India, which was a huge tragedy that affected a Canadian population. There have been other incidents since then.

Mr. Dimitre Popov: That's a good answer, but I didn't hear the number. I asked you about the number of people people killed.

The Chair: I can't give you the number.

Mr. Dimitre Popov: Okay. I will tell you: approximately one or two.

Now I have another question.

The Chair: Well, Air India was not on Canadian soil, but they were Canadians.

•(1940)

Mr. Dimitre Popov: Yes, Canadians, so you agree: about one to two people died.

A voice: [*Inaudible—Editor*] streets of Toronto. How's that?

Mr. Dimitre Popov: Okay. Let's show respect for each other.

My argument is that the government—

The Chair: At this point, you have about 20 seconds left.

Mr. Dimitre Popov: Okay. Is it a way to get rid of me? I'll make another argument.

The government isn't willing to legislate a law allowing the law enforcement authorities to conduct Breathalyzer checks because of a concern about a charter infringement, which is sacrificing the lives of 1,000 Canadians every year. The question would be, on what grounds have you created and enacted Bill C-51 when there is only one victim and that, not to mention that the number of people, as a consequence of how Bill C-51 is enforced, sacrificed is much bigger?

I would like to mention as well whether you're aware of how many people die every year as a result of hospital errors. You don't know, or probably you won't tell me, but it's about 24,000 people.

What is the government doing if the government is concerned for public safety?

The Chair: All right. I think we've understood your point.

I would remind the group tonight that our job is to get your comments, which we have been doing. Our job is to listen to your concerns, and I hope you will see yourselves reflected in our witness testimony. Our committee will be considering that as we present our advice to the government on the changes that we hear about from Canadians across the country.

I thank you for your time tonight, I thank you for your energy, and I thank you for the passion that you've brought to the subject. I want to acknowledge that there are people here from Windsor and from Oshawa, and people who spoke from Niagara Falls, from Hamilton, and from Mount Hope. This was in the GTA, but we also attracted people from around the GTA, and that goes into our considerations as well.

Thank you very much for your time. I encourage you to submit to the website for the public safety committee any thoughts or concerns you have. I wish you a safe trip home. Thank you.

The meeting is adjourned.

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